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APPLICATION NO. *	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,151	08/21/2003	Hyung-Seok Yu	678-1041 (P10425)	8924

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EXAMINER

VU, MICHAEL T

ART UNIT PAPER NUMBER

2683

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/646,151

Applicant(s)

YU, HYUNG-SEOK

Examiner

Michael Vu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 12/29/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 112***

3. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding to **claim 6**, there is no antecedent basis: a.) "the" intensity adjustment key, b.) "the" time adjustment key.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1, 3 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Kamimura (US 2002/0094806).

Regarding **claim 1**, a method for giving notice of an incoming call in a mobile communication terminal (title, abstract), comprising the steps of: setting a vibration pattern for a particular telephone number of previously stored telephone numbers in a particular incoming call notification mode ([0044], fig.#2 teaches storing telephone numbers and vibrating patterns v0-v3); and when an incoming call is received from a caller, generating vibration based on the set vibration pattern if a telephone number of the incoming call matches the particular telephone number ([0064], fig.#2 teaches correlating stored names and telephone numbers to a specific vibration pattern).

Regarding **claim 3**, a method for giving notice of an incoming call in a mobile communication terminal, comprising the steps of:  
setting a vibration pattern in an incoming call notification mode (abstract, [0009]), and  
when an incoming call is received, generating vibration based on the set vibration pattern ([0064], fig.#2 correlating stored names and telephone numbers to a specific vibration pattern).

Regarding **claim 9**, wherein the plurality of vibration patterns are displayed in text form according to a user's request (fig.#2 shows vibrating pattern in text such as v0, v1, v2, v3, etc.).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 2, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamimura in view of Heie (US 2002/0111198). [Hereafter, Heie]

Regarding to **claim 2**, Kamimura teaches in claim 1, the configuring and storing a plurality of vibration patterns according to a user's input ([0064], fig. #2 teaches correlating stored names and telephone numbers to a specific vibration pattern). however, Kamimura **fails to teach** the plurality of vibration patterns including information associated with time periods for which vibration generation is maintained, time periods for which vibration generation stops, and intensity of vibration for each time

period. However, Heie teaches the plurality of vibration patterns including information associated with time periods for which vibration generation is maintained ([0023 and 0025], fig.#1, timer (128) is to determine the length of time and vibrating device (136)), time periods for which vibration generation stops, and intensity of vibration for each time period ([0023 and 0025], fig.#1, timer (128) is to determine the length of time and vibrating device (136)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kamimura, such that the configuring and storing the vibration patterns according to user's input and information that associated with time periods for which vibration generation stops and intensity of vibration for each time period to provide a louder and longer vibration patterns and highly convenient communications capable of easily identifying multiple callers.

Regarding to **claim 4**, Kamimura teaches in claim 1, the configuring and storing a plurality of vibration patterns according to a user's input ([0064], fig. #2 teaches correlating stored names and telephone numbers to a specific vibration pattern). however, Kamimura **fails to teach** the plurality of vibration patterns including information associated with time periods for which vibration generation is maintained, time periods for which vibration generation stops, and intensity of vibration for each time period. However, Heie teaches the plurality of vibration patterns including information associated with time periods for which vibration generation is maintained ([0023 and 0025], fig.#1, timer (128) is to determine the length of time and vibrating device (136)), time periods for which vibration generation stops, and intensity of vibration for each time

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period ([0023 and 0025], fig.#1, timer (128) is to determine the length of time and vibrating device (136)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kamimura, such that the configuring and storing the vibration patterns according to user's input and information that associated with time periods for which vibration generation stops and intensity of vibration for each time period to provide a louder and longer vibration patterns and highly convenient communications capable of easily identifying multiple callers.

Regarding **claim 5**, Kamimura teaches ([0064], the user setting vibration patterns (e.g. via input keys), but **fails to teach** wherein the plurality of vibration patterns are configured by inputs of an intensity adjustment key and a time adjustment key from a user (user's selection [0025]). However, Heie teaches the plurality of vibration patterns are configured by inputs of an intensity adjustment key and a time adjustment key from a user ([0025], which teaches adjusting inputs or select that set alert parameters such as loudness/intensity and length/time.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kamimura, such that the plurality of vibration patterns are configured by inputs of an intensity adjustment key and a time adjustment key from a user to provide capable of identifying multiple callers.

***Allowable Subject Matter***

9. Claim 7 - 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

For **claim 7**, the prior art of this record does not disclose or teach wherein the configuring and storing the plurality of vibration patterns according to a user's input comprises the steps of: displaying a graph corresponding to information associated with time periods for which vibration generation is maintained, time periods for which vibration generation stops, and intensity of vibration for each time period, in response to the inputs of the intensity adjustment key and the time adjustment key from the user; and storing a vibration pattern based on the displayed graph in response to a configuration completion command from the user.

For **claim 8**, the prior art of this record does not disclose or teach wherein the plurality of vibration patterns are displayed in form of a graph according to a user's request.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takahashi US 6,014,572

Sakumoto US 5,297,118

Kita US 5,960,367

Hirai US 6,411,198

Kawashima US 2004/0014484

Brandenberg US 6,834,195

Danneels US 5,862,388

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131.

The examiner can normally be reached on 8:00am - 6:00pm.

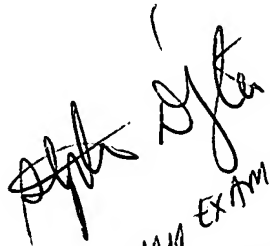
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu



Primary Examiner  
6-3-05